



California Regional Water Quality Control Board

Santa Ana Region



Winston H. Hickox
Secretary for
Environmental
Protection

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Gray Davis
Governor

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December 19, 2002

Mr. Ken Tierney, Director
Environmental Health and Safety
Raytheon Company
141 Spring Street
Lexington, MA 02421

DIRECTIVE TO CONDUCT A RECORDS INVESTIGATION ON THE USE OF FORMER STORAGE BUNKER, 2824 NORTH LOCUST, CITY OF RIALTO, SAN BERNARDINO COUNTY, CALIFORNIA

Dear Mr. Tierney:

As our staff has informed you by telephone, perchlorate has been detected in municipal water supply wells in the Rialto, Colton and Chino Groundwater Subbasins in Southern California. These water supply wells are located downgradient of the former storage bunker that was used by General Dynamics Air Systems Division, later known as Hughes Missile Systems Company (now Raytheon Company), from 1991 (and possibly earlier) until 1994. In 1998 the Hughes Missile Systems Company (formerly General Dynamics Air Systems Division) was taken over by Raytheon Company. Information that local businesses provided to us in response to subpoenas indicates that the General Dynamics Air Systems Division/Hughes Missile Systems Company (now Raytheon) and several other defense contractors, pyrotechnic companies, and other businesses, used and stored products containing perchlorate salts in the former bunkers.

This letter sets forth a requirement under California Water Code Section 13267 that Raytheon (formerly General Dynamics Air Systems Division and Hughes Missile Systems Company) conduct an investigation of its records of historical operations at the former bunker area in North Rialto. As required by that provision, this letter contains an explanation of the need for the investigation, and cites evidence supporting the requirement.

Background

Perchlorate contamination was first detected in groundwater in the Rialto, Colton and Chino Groundwater Subbasins in 1997. At that time, the California Department of Health Services (DHS) Action Level (AL) for perchlorate in drinking water was 18 parts per billion (ppb). Two wells had perchlorate levels exceeding 18 ppb and were shut down. In January 2002, the DHS lowered the AL to 4 ppb. In response to the reduced AL for perchlorate, the local water purveyors in the Rialto, Colton and Chino Groundwater Subbasins restricted or eliminated the use of additional production wells with perchlorate concentrations that exceeded 4 ppb. Between 1997 and the present, various suspected perchlorate dischargers, including General Dynamics, have been identified.

California Environmental Protection Agency



Requirement for an Investigation

The Regional Board has directed staff to issue individual letters under California Water Code Section 13267 to suspected perchlorate dischargers. The Board also expressed a strong desire that suspected perchlorate dischargers work with the local water purveyors to provide a supply of replacement water during the loss or limited use of their production wells.

The Need for the Investigation

The Santa Ana Regional Water Quality Control Board is charged with the protection of water quality in this Region. We have been working actively with the water purveyors for several years to identify the extent and address the impact of perchlorate contamination on water resources in the Rialto, Colton and Chino Groundwater Subbasins. The water purveyors whose wells have been contaminated with perchlorate now face a state of emergency, and may not be able to provide an adequate water supply to their customers. It is urgent that the sources of the contamination be identified, and the magnitude of the perchlorate plume defined.

Evidence Supporting the Need for the Investigation

Enclosed are the following documents:

1. Enclosure 1 – Well Location Map, showing perchlorate contamination in municipal water supply wells.
2. Enclosure 2 – Permit records indicating use of at least one bunker by General Dynamics Air Systems Division and Hughes Missile Systems Company (now Raytheon Company).
3. Enclosure 4 – Plot Plan showing the former configuration of the storage bunkers, and list of tenants and lessors using the bunkers.

The evidence indicates that during the 1990s, General Dynamics Air Systems Division and Hughes Missile Systems Company (now Raytheon Company) stored material at the Rialto site. Perchlorate has been detected in groundwater downgradient of the former bunker occupied by General Dynamics Air Systems Division and Hughes Missile Systems Company (now Raytheon Company). Based on the evidence, Raytheon Company is suspected of having discharged perchlorate waste that has adversely affected water quality. This evidence supports the requirement for an investigation, as defined in Section 13267(b)(1) of the California Water Code.

Deadlines

A detailed description of historical activities by General Dynamics Air Systems Division and Hughes Missile Systems Company (now Raytheon Company) at the former bunker site in North Rialto must be submitted to Board staff by January 31, 2003.

Failure to submit the required information by the specified deadline will subject you to administrative civil liability in the amount of up to \$1,000 per day pursuant to Section 13268(a) and (b) of the California Water Code.

Finally, please be aware that the Board has directed staff to explore alternative ways of solving the water supply problem in the Rialto, Colton and Chino Groundwater Subbasins. In addition, consistent with the Board's direction, we will be issuing similar directives to a number of other suspected dischargers who have operated in the North Rialto area. Thus, there may be



opportunities to cooperate with other entities to implement joint investigations or to propose solutions that would address the water supply problem. In fact, we believe it would be both scientifically effective and economically efficient for the suspected dischargers subject to these directives to jointly pursue the investigation and to explore water supply replacement options. Further, consistent with the Board's direction, we recommend that the joint efforts of the suspected dischargers consider both the characterization of the plume and initiation of water supply replacement or treatment strategies. Board staff has experience in managing similar joint investigations and cooperative solutions and we are available to discuss these further with you. If you are interested in discussing such joint efforts, please contact us to arrange a meeting.

If you have any questions about this letter, please contact Kamron Saremi at (909) 782-4303, or you may call Ann Sturdivant, Chief of our Spills, Leaks, Investigations and Cleanups Section, at (909) 782-4904.

Sincerely,

Gerard J. Thibeault
Executive Officer

Enclosures:

1. Well Location Map, showing perchlorate contamination in municipal water supply wells.
2. Permit records indicating use of at least one bunker by General Dynamics Air Systems Division and Hughes Missile Systems Company (now Raytheon Company)
3. Plot Plan showing the former configuration of the storage bunkers, and list of tenants and lessors using the bunkers.
4. Mailing List.

cc w/out enclosures:

Regional Board

Jorge Leon, Office of Chief Counsel, SWRCB

Aaron Yue, DTSC, Cypress Office

Inland Empire Perchlorate Regulatory Task Force (mailing list attached)

Scott Goulart, Aerojet - a subsidiary of GenCorp, Sacramento, California

Ken Miller, County of San Bernardino Department of Public Works

Dan Coyle - Downey Brand Seymour & Rohwer, LLP, representing American
Promotional Events, Inc. - West

Peter Duchesneau - Manatt, Phelps & Philips, representing Goodrich Corporation

Charles Whisonant, representing Denova Environmental

Allen Curlee, Office of the District Counsel, U.S. Army Corps of Engineers, Sacramento

Robert Wyatt - Allen, Matkins, Leck, Gamble & Mallory, LLP, representing Emhart/Black and
Decker

Jim Good - Gresham, Savage, Nolan & Tilden, LLP, representing Pyro Spectaculars, Inc.

George Zambelli - Zambelli Fireworks Manufacturing Company

AES/Data/SLIC/Rialto perchlorate 01-02/13267/Raytheon

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